

A

Attorney's Docket No. 69430

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Box PATENT APPLICATION  
Assistant Commissioner for Patents  
Washington, D.C. 20231

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the application of

Inventor(s): SCHUMACHER et al.

For: **PROCESS AND DEVICE FOR DETERMINING THE ACTIVITY OF ENZYMES IN LIQUIDS, OR THE  
CONCENTRATION AND/OR ACTIVITY OF INHIBITORS IN LIQUIDS**

1. Type of Application

This new application is for a(n)

(check one applicable item below)

- ☐ Original  
☐ Design  
☐ Plant  
☐ Divisional  
☒ Continuation  
☐ Continuation-In-Part (C-I-P)

I hereby certify that this paper  
is being deposited with the United States  
Postal Service as Express Mail in an  
envelope addressed to: Assistant Commissioner for  
Patents, Washington, D.C. 20231 on this date.

5-21-99 Donald C. Schumacher  
Date

Express Mail Label No.  
EL045291705 US

2. Benefit of Prior U.S. Application(s) (35 U.S.C. 119(e), 120 or 121)

- ☒ The new application being transmitted claims the benefit of prior U.S. application; USSN 08/793,833). Enclosed are ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED.

3. Papers Enclosed That Are Required for Filing Date under 37 C.F.R. 1.53(b) (Regular) or 37 C.F.R. 1.153 (Design) Application

- 15 Pages of specification  
4 Pages of claims  
1 Pages of Abstract  
5 Sheets of drawing(s)

- ☒ formal  
☒ informal

05/21/99  
Jc520 U.S. PTO

Jc518 U.S. PTO  
09/316539  
05/21/99

09316539, 052199

(complete the following if applicable)

- ☐ The enclosed drawing(s) are photograph(s), and there is also attached a PETITION TO ACCEPT PHOTOGRAPH(S) AS DRAWING(S) (37 C.F.R. 1.84(b)).

**4. Additional papers enclosed**

- ☒ Preliminary Amendment  
☒ Information Disclosure Statement (37 C.F.R. 1.98)  
☒ Form PTO-1449 (PTO/SB/08A and 08B)  
☐ Citations  
☐ Verified Statement Claiming Small Entity Status (copy)  
☐ Declaration of Biological Deposit  
☐ Submission of "Sequence Listing," computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.  
☐ Authorization of Attorney(s) to Accept and Follow Instructions from Representative  
☐ Special Comments  
☐ Other: Notification of Filing of Continuing or Divisional Application (for parent application)

**5. Declaration or Oath**

- ☒ Enclosed (copy)  
Executed by  
*(check all applicable boxes)*
- ☒ inventor(s)  
☐ legal representative of inventor(s) (37 CFR 1.42 or 1.43)  
☐ joint inventor or person showing a proprietary interest on behalf of inventor who refused to sign or cannot be reached  
☐ This is the petition required by 37 CFR 1.47 and the statement required by 37 CFR 1.47 is also attached. See item 13 below for fee.
- ☐ Not enclosed.
- ☐ Application is made by a person authorized under 37 C.F.R. 1.41(c) on behalf of *all* the above named inventor(s)  
☐ Showing that the filing is authorized.  
*(not required unless called into question. 37 CFR 1.41(d))*

**6. Inventorship Statement**

The inventorship for all the claims in this application are:

- ☒ The same.

0934539-052199  
061250-545460

or

- ☐ Not the same. An explanation, including the ownership of the various claims at the time the last claimed invention was made,
- ☐ is submitted.
- ☐ will be submitted.

**7. Language**

- ☒ English
- ☐ Non-English
- ☐ The attached translation is a verified translation (37 C.F.R. 1.52(d)).

**8. Assignment**

- ☐ An assignment of the invention to \_\_\_\_\_
- ☐ is attached. A separate ☐ COVER SHEET FOR ASSIGNMENT (DOCUMENT) ACCOMPANYING NEW PATENT APPLICATION or ☐ FORM PTO-1595 is also attached.
- ☐ will follow.

**9. Certified Copy**

Certified copy(ies) of the application(s)

_____ (Country)	_____ (Appln. No.)	_____ (Filed)
_____ (Country)	_____ (Appln. No.)	_____ (Filed)
_____ (Country)	_____ (Appln. No.)	_____ (Filed)

from which priority is claimed

- ☐ is (are) attached.
- ☐ will follow.

0034659-05199  
061250-66591260

10. Fee Calculation (37 C.F.R. 1.16)

A. ☒ Regular application

CLAIMS AS FILED				
Number filed		Number Extra	Rate	Basic Fee 37 C.F.R. 1.16(a) \$760.00
Total Claims (37 CFR 1.16(c))	12- 20 =	0	x	\$18.00
Independent Claims (37 CFR 1.16(b))	1- 3 =	0	x	\$78.00
Multiple dependent claim(s), if any (37 CFR 1.16(d))			+	\$260.00

☒ Amendment canceling extra claims is enclosed.

☒ Amendment deleting multiple-dependencies is enclosed.

☐ Fee for extra claims is not being paid at this time.

Filing Fee Calculation \$760.00

B. ☐ Design application  
(\$310.00 -- 37 CFR 1.16(f))

Filing Fee Calculation \$\_\_\_\_

C. ☐ Plant application  
(\$480.00 -- 37 CFR 1.16(g))

Filing Fee Calculation \$\_\_\_\_

11. Small Entity Statement(s)

☒ Verified Statement(s) that this is a filing by a small entity under 37 CFR 1.9 and 1.27 is (are) attached.

(complete the following if applicable)

☒ Status as a small entity was claimed in prior application 08/793,833, filed on February 18, 1997, from which benefit is being claimed for this application under:

35 U.S.C. ☐ 119(e),

☒ 120,

☐ 121,

☐ 365(c),

and which status as a small entity is still proper and desired.

08/793,833 "6659T.E.50

☒ A copy of the verified statement in the prior application is included.

Filing Fee Calculation (50% of **A, B** or **C** above)    \$380.00

**12. Request for International-Type Search (37 C.F.R. 1.104(d))**

*(complete if applicable)*

- ☐ Please prepare an international-type search report for this application at the time when national examination on the merits takes place.

**13. Fee Payment Being Made at This Time**

☐ Not Enclosed

☐ No filing fee is to be paid at this time.

☒ Enclosed

- ☒ Basic filing fee \$380.00
- ☐ Recording assignment  
(\$40.00; 37 C.F.R. 1.21(h))  
(See attached COVER SHEET FOR ASSIGNMENT ACCOMPANYING NEW APPLICATION \$ \_\_\_\_\_)
- ☐ Petition fee for filing by other than all the inventors or person on behalf of the inventor where inventor refused to sign or cannot be reached  
(\$130.00; 37 C.F.R. 1.47 and 1.17(h))
- ☐ For processing an application with a specification in a non-English language  
(\$130.00; 37 C.F.R. 1.52(d) and 1.17(k)) \$ \_\_\_\_\_
- ☐ Processing and retention fee  
(\$130.00; 37 C.F.R. 1.53(d) and 1.21(l)) \$ \_\_\_\_\_

**14. Method of Payment of Fees**

- ☒ Check in the amount of \$ 380.00
- ☐ Charge Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_.00. A duplicate of this transmittal is attached.

**15. Authorization to Charge Additional Fees**

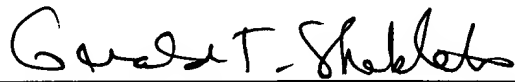
- ☒ The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. 23-0290 :
- ☒ 37 C.F.R. 1.16(a), (f) or (g) (filing fees)
- ☒ 37 C.F.R. 1.16(b), (c) and (d) (presentation of extra claims)
- ☐ 37 C.F.R. 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a dated later than the filing date of the application)

- ☒ 37 C.F.R. 1.17 (application processing fees)
- ☐ 37 C.F.R. 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 C.F.R. 1.311(b))

16. Instructions as to Overpayment

- ☒ Credit Account No. 23-0290
- ☐ Refund

Dated: May 21, 1999



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Gerald T. Shekleton,  
Attorney or Agent of Record  
Registration No. 27,466

094639-0290

<h2 style="margin: 0;">FEE TRANSMITTAL</h2> <p style="font-size: small; margin: 5px 0;">Note: Effective October 1, 1997. Patent fees are subject to annual revision.</p>	<p><b>Complete if Known</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>Application Number</td><td></td></tr> <tr><td>Filing Date</td><td></td></tr> <tr><td>First Named Inventor</td><td>SCHUMACHER et al.</td></tr> <tr><td>Group Art Unit</td><td>1744</td></tr> <tr><td>Examiner Name</td><td></td></tr> <tr><td>Attorney Docket Number</td><td>69430</td></tr> </table>	Application Number		Filing Date		First Named Inventor	SCHUMACHER et al.	Group Art Unit	1744	Examiner Name		Attorney Docket Number	69430
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TOTAL AMOUNT OF PAYMENT	(\$ ) 380.00												

METHOD OF PAYMENT (check one)	FEE CALCULATION (continued)																																																																																																												
<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:</p> <p>Deposit Account Number: <u>23-0920</u></p> <p>Deposit Account Name: <u>Welsh &amp; Katz, Ltd.</u></p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17    <input type="checkbox"/> Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance</p> <p>2. <input checked="" type="checkbox"/> Payment Enclosed:  <input checked="" type="checkbox"/> Check    <input type="checkbox"/> Money Order    <input type="checkbox"/> Other</p>	<h3>3. ADDITIONAL FEES</h3> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large Entity Code</th> <th>Small Entity Code</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205 65</td><td></td></tr> <tr><td>127</td><td>50</td><td>227 25</td><td></td></tr> <tr><td>139</td><td>130</td><td>139 130</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147 2,520</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112 920*</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113 1,840*</td><td></td></tr> <tr><td>115</td><td>110</td><td>215 55</td><td></td></tr> <tr><td>116</td><td>400</td><td>216 200</td><td></td></tr> <tr><td>117</td><td>950</td><td>217 475</td><td></td></tr> <tr><td>118</td><td>1,510</td><td>218 755</td><td></td></tr> <tr><td>128</td><td>2,060</td><td>228 1,030</td><td></td></tr> <tr><td>119</td><td>310</td><td>219 155</td><td></td></tr> <tr><td>120</td><td>310</td><td>220 155</td><td></td></tr> <tr><td>121</td><td>270</td><td>221 135</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138 1,510</td><td></td></tr> <tr><td>140</td><td>110</td><td>240 55</td><td></td></tr> <tr><td>141</td><td>1,320</td><td>241 660</td><td></td></tr> <tr><td>142</td><td>1,320</td><td>242 660</td><td></td></tr> <tr><td>143</td><td>450</td><td>243 225</td><td></td></tr> <tr><td>144</td><td>670</td><td>244 335</td><td></td></tr> <tr><td>122</td><td>130</td><td>122 130</td><td></td></tr> <tr><td>123</td><td>50</td><td>123 50</td><td></td></tr> <tr><td>126</td><td>240</td><td>126 240</td><td></td></tr> <tr><td>581</td><td>40</td><td>581 40</td><td></td></tr> <tr><td>146</td><td>790</td><td>246 395</td><td></td></tr> <tr><td>149</td><td>790</td><td>249 395</td><td></td></tr> </tbody> </table> <p>Other fee (specify) _____</p> <p>Other fee (specify) _____</p>	Large Entity Code	Small Entity Code	Fee Description	Fee Paid	105	130	205 65		127	50	227 25		139	130	139 130		147	2,520	147 2,520		112	920*	112 920*		113	1,840*	113 1,840*		115	110	215 55		116	400	216 200		117	950	217 475		118	1,510	218 755		128	2,060	228 1,030		119	310	219 155		120	310	220 155		121	270	221 135		138	1,510	138 1,510		140	110	240 55		141	1,320	241 660		142	1,320	242 660		143	450	243 225		144	670	244 335		122	130	122 130		123	50	123 50		126	240	126 240		581	40	581 40		146	790	246 395		149	790	249 395	
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SUBMITTED BY			Complete (if applicable)		
Typed or Printed Name	Gerald T. Sheklëton		Reg. Number	27,466	
Signature		Date	5/21/99	Deposit Account User ID	23-0920

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.